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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/990,026 12/12/97 OZAKI

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EXAMINER

BROWN, R

ART UNIT

PAPER NUMBER

2711

DATE MAILED:

11/12/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/990,026

Applicant(s)
Ozaki, et al

Examiner
Reuben M. Brown

Group Art Unit
2711



☒ Responsive to communication(s) filed on Aug 25, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 20-22 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 20-22 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batchelor, (U.S. Pat # 5,724,103), in view of Hidary, (U.S. Pat # 5,774,664).

Considering claim 20, the claimed terminal device of a media integrating system comprising a display block for displaying information is met by the monitor 30 of Batchelor. The claimed input control block for accepting an input instruction from outside the terminal device is inherent in Batchelor, in that personal computer systems require at least a keyboard for a user to input instructions. The claimed memory for storing a program is met by the DRAM device 34 and hard disk drive 36, (Fig. 1; col. 2, lines 14-54). The claimed broadcast receiving block for receiving broadcast information to extract video, audio and data is met by the receiver 24, NTSC

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decoder 28 and VBI decoder 26. The claimed additional limitation of a package control block for reading from a package is met by optical disk drive 38. The claimed further limitation of package control block for writing data to a package is met by the operation of Batchelor, wherein the user has the option of saving the retrieved text/graphic information to a file so that the information may be recalled by the user, (col. 3, lines 11-12).

The claimed CPU for executing program and performing control on the blocks is disclosed by the CPU 32 of Batchelor, (col. 2, lines 49-54). The claimed additional means of a broadcast receiving block which acquires link information for giving an instruction for reading particular information from the package such that the package control block is controlled by link information to read information stored in the package and display the read information, is met by the operation of Batchelor, in that text/graphics information are read from the CD-ROM and displayed on the monitor, in coordination with the received TV broadcast, (col. 1, lines 41-54; col. 3, lines 13-29).

Batchelor does not specifically disclose the additional limitation of the "communication control block communicating with information providing device". It is noted that this limitation merely reads on connecting the personal computer system 10 of Batchelor to an external network, such as the Internet. Connecting a computer to the Internet in order to obtain information is extremely well known in the art, and is demonstrated by Hidary. The claimed communication

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control block for performing communication with an information providing device is met by the operation of Hidary which discloses Internet access for the TV/PC system 16, (col. 5, lines 21-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the personal computer system 10 of Batchelor, with the feature of interfacing with a modem, for the known improvements in a multimedia environment of enabling a user terminal device to interface with a TV broadcast network, as well as a communication network as taught by Hidary, (col. 1, lines 17-61).

The claimed information providing device is broad enough to read on an Internet server, which provides information to end users, necessarily included in Hidary. The claimed CPU for executing a program and performing control on each of the blocks is necessarily included in Hidary, (col. 4, lines 28-57). The claimed information reading means that, based on link information added to a broadcast signal for giving an instruction for reading information stored in an information providing device, controls the communication control block to read information from the information providing device is met by the operation of Hidary, (Abstract; col. 4, lines 28-56) which discusses a means for providing URL links in TV broadcast program which allows for related information to be provided from an information provider/Internet server.

The further claimed limitation of adding link formation to a broadcast signal for giving instruction for reading information stored in a package and controlling the package control block

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to read the stored information from the package device reads on Batchelor, (col. 2, lines 49-54), in that text/graphics information are read from the CD-ROM and displayed on the monitor, in coordination with the received TV broadcast.

3. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary, in view of Mages, (U.S. Pat # 5,892,825).

Considering claim 21, the claimed elements of a terminal device of a media integrating system, including a display block for displaying information is met by the display 18 of Fig. 2. The claimed input control block for accepting an input instruction from the outside and memory block for storing a program are necessarily included, at least in the PC 16 of Hidary. The claimed broadcast receiving block for receiving broadcast information and to extract video, audio and data signals from the received broadcast reads on Hidary (col. 7, lines 8-28; col. 8, lines 18-30). The claimed communication control block for performing communication with an information providing device is necessarily included in Hidary, which discloses that the PC 16 interacts with the Internet, (Abstract). The PC 16 of Hidary also necessarily includes a CPU which controls the functions of the multimedia system including control of the broadcast receiver, modem, memory, display and CD-ROM drive, etc.

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Regarding the further claimed limitation of a means for storing into the information providing device link information for reading particular information from a broadcast reads on Hidary, (col. 8, lines 45-67 thru col. 9, lines 1-7), which discusses synchronizing information on a Web page with video from a TV broadcast or video from a package device such as a DVD, Beta or VHS. Hidary particularly teaches that in the event the user clicks on a URL link while browsing the Internet, wherein the URL link corresponds to a particular broadcast channel that for instance relates to the content of the present web page, then a software is turned on which automatically tunes the user's TV in order to receive the appropriate broadcast programming. Therefore Hidary discloses storing link information in the Internet, which controls a TV receiver.

The additional claimed limitation of controlling the package control block based on instructions of link information added to the information providing device, is not necessarily specifically shown by Hidary. Nevertheless, Mages discloses a method of controlling the particular information read from a package device, according to a URL link which a users clicks while browsing a web page, (col. 5, lines 65-67 thru col. 6, lines 1-55). Mages discusses an Internet server, which upon the request of a user provides a key to user's remote computer, such as audio/video header information, which relates to particular information stored on a CD-ROM at a user's computer, which enables the user's CD-ROM reader to read the instant audio/video information. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Hidary with the teachings of Mages, for the known desirable

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purpose of a multimedia device which more efficiently utilizes the convergence of CD-ROM and the Internet technologies as taught by Mages (col. 3, lines 28-60; col. 5, lines 1-10).

4. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary, in view of Hamaguchi, (U.S. Pat # 5,726,702).

Considering claim 22, the claimed elements of a terminal device of a media integrating system, including a display block for displaying information is met by the display 18 of Fig. 2. The claimed input control block for accepting an input instruction from the outside and memory block for storing a program are necessarily included, at least in the PC 16 of Hidary. The claimed broadcast receiving block for receiving broadcast information and to extract video, audio and data signals from the received broadcast reads on Hidary (col. 7, lines 8-28; col. 8, lines 18-30). The claimed communication control block for performing communication with an information providing device is necessarily included in Hidary, which discloses that the PC 16 interacts with the Internet, (Abstract). The PC 16 of Hidary also necessarily includes a CPU which controls the functions of the multimedia system including control of the broadcast receiver, modem, memory, display and CD-ROM drive, etc.

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Regarding the further claimed limitation of a reading means that, based on an instruction of link information stored in the package device, controls the communication control block to read information stored in the information providing device is met by the disclosure of Hidary, (col. 1, lines 65-67; col. 9, lines 3-8 thru col. 10, lines 1-2), which discusses that URL links may be added to package devices such as CD-ROM, DVD or VHS tapes, which when clicked by the user, causes a corresponding web page to be displayed on the monitor.

Even though it is not specifically shown that the package device used in Hidary's multimedia apparatus contains links or control information which controls the user's broadcast receiver, Hamaguchi multimedia apparatus discloses this technology, (col. 23, lines 10-44). In particular, Hamaguchi teaches that date, time & channel information with respect to specific broadcast programs may be stored on a CD-ROM. Thus when a user clicks an icon with respect to the specific broadcast information, the instant program information is retrieved from storage and may be used to either reserve or tune to the desired program, (col. 25, lines 15-25; col. 25, lines 35-67 thru col. 26, lines 1-19). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teachings of Hidary, with teachings of Hamaguchi for the well known benefits of more efficiently utilizing the information storage technology of a CD-ROM.

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Response to Arguments

5. Applicant's arguments filed 8/30/99, have been fully considered but they are not persuasive.

Regarding applicant's characterization of claim 20, on page 4, last paragraph thru page 5, first paragraph, examiner agrees. However, examiner points out that while, claim 20, specifically requires "first link information of said broadcast information having said first link information for giving an instruction for reading particular information from said package", there is no such limitation with respect to the source of the "second link information". In other words, first link information is required to come from broadcast information, the same is not required of second link information. Therefore, while applicant's argues in the fourth paragraph of page 5, that in the present invention, "first link information... and second link information... are embedded into the VBI of a broadcast signal", examiner maintains that no such requirement is recited in claim 20, with respect to the second link information. Applicant uses the same characterization on page 7, first paragraph, with which examiner also disagrees. Regarding applicant's assertion that the combination of Batchelor & Hidary does not meet the limitations of claim 20 & does not teach a

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method for linking broadcast and package, or broadcast and network, examiner respectfully disagrees.

In particular, ^{the} examiner notes that on page 4, second paragraph, applicant correctly states that Batchelor teaches accessing particular information from a package device, based on link information embedded into a VBI of a broadcast signal. Applicant further correctly states, in paragraph 3, on the same page, that "Hidary shows a method for acquiring information from the Internet as specified by URLs, when a broadcast signal is received by a broadcast receiver based on the URLs embedded in to the broadcast signal". Thus, applicant's statement regarding Batchelor & Hidary, appears to confirm that the above cited combination, indeed provides first link information embedded into a broadcast signal which controls a package control device in order to read particular information from a package device and second link information embedded into a broadcast signal which controls a communication block to read particular information from an information providing device, i.e., the Internet.

Examiner further more points out that Hidary discloses an embodiment wherein link information for accessing particular information from the Internet, may be embedded on a DVD, VHS or other package device, see Hidary col. 9, lines 3-8 & col. 10, lines 1-2, which clearly reads on the operation of the second link information as presently recited in claim 20. Examiner respectfully disagrees with applicant's assertion that the combination of Batchelor and Hidary, as

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posited by the examiner is the result of impermissible hindsight. In particular Batchelor is directed toward the merging of the well known computer technology of storage and access of large amounts of information, particularly graphics/text from CD-ROM which have high storage capacity, with the equally well known broadcast TV technique of embedding control signals in broadcast signal, and thereby controlling devices that may be interfaced with the instant broadcast receiver/TV/Set-top-box. However, Batchelor does not discuss the merging of such technologies with the Internet. Nevertheless, Hidary clearly discloses the desirable benefits of combining broadcast TV programming; package devices such as CD-ROM, DVD or recorded video tape; and the Internet, see Hidary col. 1, lines 65-67 thru col. 2, lines 1-27. As a result, Hidary discloses the advantages over prior separated mediums, for the consumer to access a multimedia apparatus/method of interfacing with broadcast, Internet and package medium.

Moreover, applicant on page 6, discusses embodiments wherein the present invention provides up-to-date information regarding sales prices, etc. via the Internet, while moving pictures which are related to or corresponds with a concurrently watched TV program may be stored and retrieved from a package device. Examiner directs applicant to Hidary, col. 2, lines 41-47 and Batchelor, col. 1, lines 41-58, which contemplates the scenarios discussed by the applicant.

Regarding applicant's characterization of claim 21, calling for first and second link information for controlling a package reading device & a broadcast receiver, in order to retrieve

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particular information are stored in an information providing device, i.e., the Internet, examiner agrees. Examiner also agrees with applicant's statement that Hidary discloses a method for receiving a particular broadcast by controlling a broadcast receiver based on information acquired from the Internet, also see Hidary col. 8, lines 62-68. Therefore Hidary clearly meets the requirement of the operation of second link information.

As pointed out above, the claimed limitation of storing second link information into the Internet, which controls a broadcast receiver for receiving particular broadcast program is met by Hidary, (col. 8, lines 62-68 thru col. 9, lines 1-2) which discloses that while viewing a particular website, a user may click a specific hyperlink which then causes the information provider to send a command to the instant broadcast receiver, which is then automatically tuned to receive the instant relevant programming. Examiner contends that the disclosure of Hidary that the hyperlink, turns on the software which "tunes the TV window" meets the requirements of second link information, as recited in claim 21. As discussed above in the rejection of the instant claim, the recited limitation of a first link information stored in an information providing device, in other words the Internet, such that a reading means at the user's terminal controls a package block to read specific information from a package device based on the instant first link information is met by the disclosure of Mages, (col. 5, lines 65-67 thru col. 6, lines 1-55).

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Finally, with respect to claims 20-22, applicant recites the term “information providing device”, wherein according to the specification and applicant’s arguments, “information providing device” refers to an Internet server or an information network, see applicant’s arguments, (page 5, 4th paragraph; page 6, lines 1-8; page 6, lines 22-23). Even though in rejecting the limitations in claims 20-22, examiner used references that specifically read on the interpretation of an “information providing device” being an Internet server or web site, examiner points out that the instant terminology is broad enough to also read on any other “information providing device”. For example a CATV headend; TV station; radio station; package devices such as CD-ROM, DVD or VHS tape read on the applicant’s claim of an “information providing device” which either stores link information for controlling a device at a user’s terminal or is controlled by link information stored on a device at a user’s terminal.

6. Applicant's arguments with respect to claim 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's claims.

A) Palmer Transmits URL links along with broadcast programming.

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8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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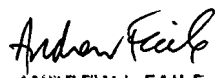
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (703) 305-2399. The examiner can normally be reached on Monday thru Friday from 830am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.


ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700